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On 14 AUGUST 2003
TOWNSEND and TOWNSEND and CREW LLP
By: Nancy Pizzo
NANCY PIZZO

PATENT

Customer No.: 20350

Atty. Docket No.: 018468-000130US

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AUG 20 2003
TECHNOLOGY CENTER R3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JOYE, JAMES ET AL.

Application No.: 09/978,253

Filed: October 15, 2001

For: Apparatus And Method For Cryogenic
Inhibition Of Hyperplasia

Confirmation No.:

Examiner: KEARNEY, R.

T.C./Art Unit: 3739

RESPONSE TO A RESTRICTION
REQUIREMENT

Commissioner for Patents
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Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed July 17, 2003, Applicants elect to prosecute Group II (claims 15-22), drawn to a method for treating a blood vessel, without traverse.

Regarding the election of Species, Applicants elect claims 15 and 18-22, drawn to Species IV of Figs. 9-11. Applicants respectfully submit that claims 15 and 20-22 are generic. Applicants elect the claims of Species IV without traverse.

Respectfully submitted,

Mark D. Barrish
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Reg. No. 36,443

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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/978,253
	Filing Date	10/15/2001
	First Named Inventor	Joye, James
	Art Unit	3739
	Examiner Name	KEARNEY, R.
Total Number of Pages in This Submission	Attorney Docket Number	018468-000130US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): > Response to Restriction Requirement > Return Postcard
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TECHNOLOGY CENTER R3700**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP Mark D. Barrish	Reg. No. 36,443
Signature		
Date	08/14/03	

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Typed or printed name	Nancy Pizzo		
Signature		Date	08/14/03

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